Case 23-10448-JCM Doc 30 Filed 10/14/23 Entered 10/15/23 00:26:08 Desc Imaged Certificate of Notice Page 1 of 9 Fill in this information to identify your case Janice K Graham Debtor 1 First Name Middle Name Last Name Debtor 2 First Name Middle Name Last Name (Spouse, if filing) United States Bankruptcy Court for the: WESTERN DISTRICT OF Check if this is an amended plan, and **PENNSYLVANIA** list below the sections of the plan that Case number: 23-10448 have been changed. (If known) Western District of Pennsylvania Chapter 13 Plan Dated: October 11, 2023 Part 1: Notices To Debtor(s): This form sets out options that may be appropriate in some cases, but the presence of an option on the form does not indicate that the option is appropriate in your circumstances. Plans that do not comply with local rules and judicial rulings may not be confirmable. The terms of this plan control unless otherwise ordered by the court. In the following notice to creditors, you must check each box that applies To Creditors: YOUR RIGHTS MAY BE AFFECTED BY THIS PLAN. YOUR CLAIM MAY BE REDUCED, MODIFIED, OR ELIMINATED. You should read this plan carefully and discuss it with your attorney if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one. IF YOU OPPOSE THIS PLAN'S TREATMENT OF YOUR CLAIM OR ANY PROVISION OF THIS PLAN, YOU OR YOUR ATTORNEY MUST FILE AN OBJECTION TO CONFIRMATION AT LEAST SEVEN (7) DAYS BEFORE THE DATE SET FOR THE CONFIRMATION HEARING, UNLESS OTHERWISE ORDERED BY THE COURT. THE COURT MAY CONFIRM THIS PLAN WITHOUT FURTHER NOTICE IF NO OBJECTION TO CONFIRMATION IS FILED. SEE BANKRUPTCY RULE 3015. IN ADDITION, YOU MAY NEED TO FILE A TIMELY PROOF OF CLAIM TO BE PAID UNDER ANY PLAN. The following matters may be of particular importance. Debtor(s) must check one box on each line to state whether the plan includes each of the following items. If the "Included" box is unchecked or both boxes are checked on each line, the provision will be ineffective if set out later in the plan. 1.1 A limit on the amount of any claim or arrearages set out in Part 3, which may result ✓ Included Not Included in a partial payment or no payment to the secured creditor (a separate action will be required to effectuate 1.2 Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest, ☐ Included ✓ Not Included set out in Section 3.4 (a separate action will be required to effectuate such limit) Nonstandard provisions, set out in Part 9 Included ✓ Not Included Plan Payments and Length of Plan Debtor(s) will make regular payments to the trustee: Total amount of \$1195 per month for a remaining plan term of 48 months shall be paid to the trustee from future earnings as follows: By Automated Bank Transfer Payments: Directly by Debtor

1.3 Part 2: 2.1 By Income Attachment D#1 \$ 1,195 \$ \$ \$ \$ \$ D#2

(Income attachments must be used by Debtors having attachable income)

2.2 Additional payments.

Unpaid Filing Fees. The balance of \$	shall be fully paid by the Trustee to the Clerk of the Bankruptcy court form the first

(SSA direct deposit recipients only)

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	057343	0575	Residence		* Mortgage Pay in Full	6.00%		\$143.5 1
	ank		200 North Mai 16346 Venan	in Street Seneca, PA go County	\$2,500.00*			
	ed accor	itor and unt	Collateral		Amount of claim	Interest rate	Monthly p	payment to
				-	and secured by a purchase money a interest at the rate stated below.	-	-	_
	(1) incurred within 910 days before the petition date and secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or(2) incurred within one (1) year of the petition date and secured by a purchase money security interest in any other thing of value.							
	Check one. None. If "None" is checked, the rest of Section 3.3 need not be completed or reproduced. The claims listed below were either:							
3.3	,		s excluded from 1	-				
	V	None.	If "None" is ched	cked, the rest of § 3.2 need	d not be completed or reproduced			
3.2	Request for valuation of security, payment of fully secured claims, and modification of undersecured claims. Check one.							
				4		· 4 4 -1	•	
44896	181102	2 61097 I claims as	naadad	determined by Tax Assessment	\$102	.17	\$0.00	10/2023
PNC B	lank			200 North Main Stree Seneca, PA 16346 Venango County Residence Fair Market Value	et			
numbe		ior und r	edacted account	Conucciui	Current installment payment (including escrow)	(if any)	r urreuruge	(MM/YYYY)
3.1 Maintenance of payments and cure of default, if any, on Long-Term Continuing Debts. Check one. None. If "None" is checked, the rest of Section 3.1 need not be completed or reproduced. The debtor(s) will maintain the current contractual installment payments on the secured claims listed be required by the applicable contract and noticed in conformity with any applicable rules. These payment trustee. Any existing arrearage on a listed claim will be paid in full through disbursements by the truste from the automatic stay is ordered as to any item of collateral listed in this paragraph, then, unless other all payments under this paragraph as to that collateral will cease, and all secured claims based on that collateral by the plan. If monthly payment changes exist, state the amounts and effective dates of the changes.					nts will be di tee, without i erwise order collateral wi	sbursed by the nterest. If relief ed by the court,		
Part 3:	_	-	_	olan funding described a	bove.			
2.3					nall be computed by the trustee	based on the tota	l amount of	plan payments
Che	Ø.	None.	If "None" is ched	cked, the rest of § 2.2 need	d not be completed or reproduced	-		
Char	ck one.							
		availa	ble funds.					
Debtor		Janice	K Graham		Case number	r 23-10448		

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Debtor Janice K Graham	Case number 23-10448
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Insert additional claims as needed.

3.4 Lien avoidance.

Check one.

None. If "None" is checked, the rest of § 3.4 need not be completed or reproduced. The remainder of this section will be effective only if the applicable box in Part 1 of this plan is checked

3.5 Surrender of collateral.

Check one.

None. If "None" is checked, the rest of § 3.5 need not be completed or reproduced.

3.6 Secured tax claims.

Name of taxing authority	Total amount of claim	Type of tax	Interest Rate*	Identifying number(s) if collateral is real estate	Tax periods
Venango County Tax Claim Bureau	\$10,245.05	Real Estate	9.00%	200 North Main Street Seneca, PA 16346 Venango County Residence Fair Market Value determined by Tax Assessment Parcel ID: 08,037049000 Venango County Cranberry Township Cranberry School District	
Venango County	£5,062,02	Deal Fotate	0.000/	130 South Main Street Seneca, PA 16346 Venango County Business Property Fair Market Value determined by Tax Assessment Parcel ID: 08,040026000 Venango County Cranberry Township Cranberry School	
Tax Claim Bureau	\$5,862.83	Real Estate	9.00%	District	

Insert additional claims as needed.

Part 4: Treatment of Fees and Priority Claims

4.1 General

Trustee's fees and all allowed priority claims, including Domestic Support Obligations other than those treated in Section 4.5, will be paid in full without postpetition interest.

^{*} The secured tax claims of the Internal Revenue Service, Commonwealth of Pennsylvania and any other tax claimants shall bear interest at the statutory rate in effect as of the date of confirmation.

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Debtor		Janice K Gra	nam	Case number	23-10448	
4.2	Trusto	ee's fees				
	and pu	ıblish the prevail	rned by statute and may change during ing rates on the court's website for the conitor any change in the percentage fe	prior five years. It is incumbent	upon the debtor(s)' atto	
4.3	Attori	ney's fees.				
	per mo based fee. An throug	ced and/or a no-lonth. Including a on a combination additional \$the the plan, and t	rable to Daniel P. Foster . In addition ook costs deposit) already paid by or cony retainer paid, a total of \$\(\frac{5000}{0} \) of the no-look fee and costs deposit a 0.00 will be sought through a fee aphis plan contains sufficient funding to holders of allowed unsecured claims.	on behalf of the debtor, the amoun in fees and costs reimbursement and previously approved application oplication to be filed and approve	nt of \$4000 is to be paid has been approved by tion(s) for compensation d before any additional	d at the rate of \$350 the court to date, above the no-look amount will be paid
	the del		look fee in the amount provided for in articipation in the court's Loss Mitigat d, above).			
4.4	Priorit	y claims not tre	ated elsewhere in Part 4.			
Insert a	✓ dditional	None. If "No claims as neede	ne" is checked, the rest of Section 4.4 d	need not be completed or reprodu	uced.	
4.5	Priori	ty Domestic Su	oport Obligations not assigned or ow	ed to a governmental unit.		
	*	None. If "No	ne" is checked, the rest of Section 4.5	need not be completed or reprodu	iced.	
4.6			ligations assigned or owed to a gove	rnmental unit and paid less tha	n full amount.	
	Check ✓		ne" is checked, the rest of § 4.6 need n	ot be completed or reproduced.		
4.7	Priori	ty unsecured ta	x claims paid in full.			
		None. If "No	ne" is checked, the rest of § 4.7 need n	ot be completed or reproduced.		
Name	of taxing	g authority	Total amount of claim	Type of Tax	Interest rate	Tax Periods
					(0% If blank)	

Name of taxing authority	Total amount of claim	Type of Tax	Interest rate (0% If blank)	Tax Periods
Internal Revenue Service	\$16,283.25	2011-2022 Income Taxes	0.00%	
Pennsylvania Department of Revenue	\$1,069.30	2011-2022 Income Taxes	0.00%	

Insert additional claims as needed.

4.8 Postpetition utility monthly payments.

The provisions of this Section 4.8 are available only if the utility provider has agreed to this treatment. The charges for post petition utility service are allowed as an administrative claim. These payments comprise a single monthly combined payment for postpetition utility services, any postpetition delinquencies, and unpaid security deposits. The claim payment will not change for the life of the plan unless amended. Should the utility obtain an order authorizing a payment change, the debtor(s) will be required to file an amended plan. These payments may not resolve all of the postpetition claims of the utility. Any unpaid post petition utility claims will survive discharge and the utility may require additional funds from

the debtor(s) after discharge.

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Debtor	Janice K Graham		Case number	23-10448
Name on number		Monthly payment	Post	petition account number
nsert ad	ditional claims as needed.			
Part 5:	Treatment of Nonpriority Unse	cured Claims		
5.1	Nonpriority unsecured claims n	ot separately classified.		
	Debtor(s) ESTIMATE(S) that a t	otal of \$5000 will be available for	distribution to nonpriority	unsecured creditors.
	Debtor(s) ACKNOWLEDGE(S) alternative test for confirmation so		oaid to nonpriority unsecur	red creditors to comply with the liquidation
	available for payment to these cre estimated percentage of payment amount of allowed claims. Late-fi	ditors under the plan base will be de to general unsecured creditors is 7.0 led claims will not be paid unless al s an objection has been filed within t	etermined only after audit of the percentage of part timely filed claims have	f creditors. Instead, the actual pool of funds of the plan at time of completion. The yment may change, based upon the total been paid in full. Thereafter, all late-filed he claim. Creditors not specifically
5.2	Maintenance of payments and c	ure of any default on nonpriority	unsecured claims.	
Check o	ne.			
	None. If "None" is chec	ked, the rest of § 5.2 need not be con	mpleted or reproduced.	
5.3	Other separately classified nonp	riority unsecured claims.		
	Check one.			
	None. If "None" is chec	ked, the rest of § 5.4 need not be con	mpleted or reproduced.	
Part 6:	Executory Contracts and Unex	pired Leases		
5.1	The executory contracts and un contracts and unexpired leases a	expired leases listed below are ass are rejected.	umed and will be treated	l as specified. All other executory
	Check one.			
	None. If "None" is chec	ked, the rest of § 6.1 need not be con	mpleted or reproduced.	
Part 7:	Vesting of Property of the Esta	te		
7.1	Property of the estate shall not r	e-vest in the debtor(s) until the de	btor(s) have completed a	Il payments under the confirmed plan.
Part 8:	General Principles Applicable	to All Chapter 13 Plans		
3.1	extended as necessary by the trust Notwithstanding any statement by meet the plan goals remains the so	ee (up to any period permitted by ap the trustee's office concerning amo	opplicable law) to insure the bunts needed to fund a plan btor(s)' attorney. It shall l	nd agree(s) that the chapter 13 plan may be at the goals of the plan have been achieved. In, the adequacy of plan funding in order to be the responsibility of the debtor(s) and d during its entire term.

8.2 Prior to the meeting of creditors, the debtor(s) shall comply with the tax return filing requirements of 11 U.S.C § 1308 and provide the trustee with documentation of such compliance by the time of the meeting. Debtor(s)' attorney or debtor(s) (if pro se) shall provide the trustee with the information needed for the trustee to comply with the requirements of 11 U.S.C. § 1302 as to the notification to be given to Domestic Support Obligation creditors, and debtor(s)' attorney or debtor(s) (if pro se) shall provide the trustee with the calculations relied upon to determine the debtor(s)' current monthly income and disposable income.

PAWB Local Form 10 (11/21) Chapter 13 Plan Page 5

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Debtor Janice K Graham Case number 23-10448

- 8.3 The debtor(s) shall have a duty to inform the trustee of any assets acquired while the chapter 13 case is pending, such as insurance proceeds, recovery on any lawsuit or claims for personal injury or property damage, lottery winnings, or inheritances. The debtor(s) must obtain prior court approval before entering into any postpetition financing or borrowing of any kind, and before selling any assets.
- 8.4 Unless otherwise stated in this plan or permitted by a court order, all claims or debts provided for by the plan to receive a distribution shall be paid by and through the trustee.
- 8.5 Percentage fees to the trustee are paid on receipts of plan payments at the rate fixed by the United States Trustee. The trustee has the discretion to adjust, interpret, and implement the distribution schedule to carry out the plan, provided that, to the extent the trustee seeks a material modification of this plan or its contemplated distribution schedule, the trustee must seek and obtain prior authorization of the court. The trustee shall follow this standard plan form sequence unless otherwise ordered by the court:

Level One: Unpaid filing fees.

Level Two: Secured claims and lease payments entitled to 11 U.S.C. § 1326(a)(1)(C) pre-confirmation adequate protection

payments.

Level Three: Monthly ongoing mortgage payments, ongoing vehicle and lease payments, installments on professional fees, and

postpetition utility claims.

Level Four: Priority Domestic Support Obligations.

Level Five: Mortgage arrears, secured taxes, rental arrears, vehicle payment arrears.

Level Six: All remaining secured, priority and specially classified claims, and miscellaneous secured arrears.

Level Seven: Allowed nonpriority unsecured claims.

Level Eight: Untimely filed nonpriority unsecured claims for which an objection has not been filed.

- 8.6 As a condition to the debtor(s)' eligibility to receive a discharge upon successful completion of the plan, debtor(s)' attorney or debtor(s) (if pro se) shall file Local Bankruptcy Form 24 (Debtor's Certification of Discharge Eligibility) with the court within forty-five (45) days after making the final plan payment.
- 8.7 The provisions for payment to secured, priority, and specially classified unsecured creditors in this plan shall constitute claims in accordance with Bankruptcy Rule 3004. Proofs of claim by the trustee will not be required. In the absence of a contrary timely filed proof of claim, the amounts stated in the plan for each claim are controlling. The clerk shall be entitled to rely on the accuracy of the information contained in this plan with regard to each claim. Unless otherwise ordered by the court, if a secured, priority, or specially classified creditor timely files its own claim, then the creditor's claim shall govern, provided the debtor(s) and debtor(s)' attorney have been given notice and an opportunity to object. The trustee is authorized, without prior notice, to pay claims exceeding the amount provided in the plan by not more than \$250.
- **8.8** Any creditor whose secured claim is not modified by this plan and subsequent order of court shall retain its lien.
- 8.9 Any creditor whose secured claim is modified or whose lien is reduced by the plan shall retain its lien until the underlying debt is discharged under 11 U.S.C. § 1328 or until it has been paid the full amount to which it is entitled under applicable nonbankruptcy law, whichever occurs earlier. Upon payment in accordance with these terms and entry of a discharge order, the modified lien will terminate and be released. The creditor shall promptly cause all mortgages, liens, and security interests encumbering the collateral to be satisfied, discharged, and released.
- 8.10 The provisions of Sections 8.8 and 8.9 will also apply to allowed secured, priority, and specially classified unsecured claims filed after the bar date. LATE-FILED CLAIMS NOT PROPERLY SERVED ON THE TRUSTEE AND THE DEBTOR(S)' ATTORNEY OR DEBTOR(S) (IF PRO SE) WILL NOT BE PAID. The responsibility for reviewing the claims and objecting where appropriate is placed upon the debtor(s).

Part 9: Nonstandard Plan Provisions

9.1 Check "None" or List Nonstandard Plan Provisions

None. If "None" is checked, the rest of Part 9 need not be completed or reproduced.

Part 10: Signatures:

1

10.1 Signatures of Debtor(s) and Debtor(s)' Attorney

By signing this plan the undersigned, as debtor(s)' attorney or the debtor(s) (if pro se), certify(ies) that I/we have reviewed any prior confirmed plan(s), order(s) confirming prior plan(s), proofs of claim filed with the court by creditors, and any orders of court affecting the amount(s) or treatment of any creditor claims, and except as modified herein, this proposed plan conforms to and is consistent with all such prior plans, orders, and claims. False certifications shall subject the signatories to sanctions under Bankruptcy Rule 9011.

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De	btor Janice K Graham		Case number	23-10448
13 p Wes the	filing this document, debtor(s)' attorney or the debtor(s) (if plan are identical to those contained in the standard chapte stern District of Pennsylvania, other than any nonstandard standard plan form shall not become operative unless it is s arate order.	13 plan form adopted for provisions included in Pa	r use by the Ui rt 9. It is furth	nited States Bankruptcy Court for the ver acknowledged that any deviation from
X	/s/ Janice K. Graham Janice K Graham Signature of Debtor 1	X Signature of I	Debtor 2	
	Executed on	Executed on		
X	/s/ Daniel P. Foster Daniel P. Foster Signature of debtor(s)' attorney	Date 10/11/23		

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United States Bankruptcy Court Western District of Pennsylvania

Case No. 23-10448-JCM In re: Janice K. Graham

Debtor

Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1 User: auto Page 1 of 2 Date Rcvd: Oct 12, 2023 Form ID: pdf900 Total Noticed: 15

The following symbols are used throughout this certificate:

Symbol **Definition**

Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS

regulations require that automation-compatible mail display the correct ZIP.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4). ++

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 14, 2023:

Recip ID Recipient Name and Address

+ Janice K. Graham, PO Box 381, Seneca, PA 16346-0381 dh

15634768 + HSBC Bank, Attn: Bankruptcy, PO Box 30256, Salt Lake City, UT 84130-0256

15634776 + Venango County Tax Claim Bureau, 1174 Elk Street, PO Box 831, Franklin, PA 16323-0831

TOTAL: 3

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	Email/Text: bnc@atlasacq.com	Oct 13 2023 03:17:00	Atlas Acquisitions LLC, 492C Cedar Lane, Ste 442, Teaneck, NJ 07666
15634762	+ Email/PDF: ebn_ais@aisinfo.com	Oct 13 2023 03:08:13	245 Holdings LLC, by American InfoSource LP as agent, PO Box 269093, Oklahoma City, OK 73126-9093
15634764	Email/Text: bnc@atlasacq.com	Oct 13 2023 03:17:00	Atlas Acquisitions LLC, 294 Union Street, Hackensack, NJ 07601
15634763	+ Email/PDF: ebn_ais@aisinfo.com	Oct 13 2023 01:14:35	American InfoSource LP as agent for, Midland Funding LLC, PO Box 268941, Oklahoma City, OK 73126-8941
15634765	Email/PDF: AIS.cocard.ebn@aisinfo.com	Oct 13 2023 01:34:56	Capital One, PO Box 85520, Richmond, VA 23285
15634767	Email/PDF: Citi.BNC.Correspondence@citi.com	Oct 13 2023 01:14:34	Citibank Sd, Na, Attn: Centralized Bankruptcy, Po Box 20507, Kansas City, MO 64195
15634770	Email/Text: sbse.cio.bnc.mail@irs.gov	Oct 13 2023 03:18:00	Internal Revenue Service, Insolvency Unit, PO Box 628, Pittsburgh, PA 15230
15634766	Email/PDF: ais.chase.ebn@aisinfo.com	Oct 13 2023 01:15:16	Chase, Po Box 15298, Wilmington, DE 19850
15634773	Email/Text: Bankruptcy.Notices@pnc.com	Oct 13 2023 03:17:00	PNC Bank, PO Box 94982, Cleveland, OH 44101
15634774	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecove	ry.com Oct 13 2023 01:14:34	Portfolio Recovery Associates LLC, PO Box 12914, Norfolk, VA 23541
15634772	+ Email/Text: RVSVCBICNOTICE1@state.pa.us	Oct 13 2023 03:18:00	Pennsylvania Department of Revenue, Bankruptcy Division, P.O. Box 280946, Harrisburg, PA 17128-0946
15634775	+ Email/PDF: ais.sync.ebn@aisinfo.com	Oct 13 2023 01:36:43	Synchrony Bank, Attention: Bankruptcy, PO Box 965064, Orlando, FL 32896-5064

TOTAL: 12

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

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District/off: 0315-1 User: auto Page 2 of 2
Date Rcvd: Oct 12, 2023 Form ID: pdf900 Total Noticed: 15

Recip ID
crBypass Reason
PNC BANK, NATIONAL ASSOCIATION15634769*P++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346, PHILADELPHIA PA
19101-7346, address filed with court:, Internal Revenue Service, Office of District Counsel, 1000 Liberty Center, Suite 601C,
Pittsburgh, PA 1522215634771*Internal Revenue Service, P.O. Box 7346, Philadelphia, PA 19101-7346

TOTAL: 1 Undeliverable, 2 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 14, 2023 Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 11, 2023 at the address(es) listed below:

Name Email Address

Brian Nicholas

on behalf of Creditor PNC BANK NATIONAL ASSOCIATION bnicholas@kmllawgroup.com

Daniel P. Foster

on behalf of Debtor Janice K. Graham dan@mrdebtbuster.com

katie@mrdebtbuster.com; marci@mrdebtbuster.com; kristen@mrdebtbuster.com; fosterlaw@ecf.inforuptcy.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteewdpa.com

TOTAL: 4